

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

CARL SCAGGS and
NELLIE SCAGGS,

Plaintiffs,

vs.

3M COMPANY, AS SUCCESSOR BY
MERGER TO MINNESOTA MINING
& MANUFACTURING COMPANY
AND/OR ITS PREDECESSORS/
SUCCESSORS IN INTEREST
MINE SAFETY APPLIANCES

Defendants.

Case No. 4:08-CV-01163 ERW

JURY TRIAL DEMANDED

MOTION FOR LEAVE TO VOLUNTARILY DISMISS

Comes now, Plaintiffs in the above styled case and files this motion to leave to voluntarily dismiss.

I.

This case was resolved by settlement. Plaintiffs, Carl and Nellie Scaggs, respectfully request this matter be dismissed with prejudice with all costs to be allocated to each party bearing the same.

Respectfully submitted,

MALONEY ★ MARTIN, LLP

/s/ Mike Martin

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ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

Pursuant to Rule 5 of the Federal Rules of Civil Procedure, I hereby certify that a true and correct copy of the foregoing document has been provided to all counsel of record and/or attorneys-in-charge via Certified Mail, Return Receipt Requested, and/or via facsimile, and/or via hand delivery, and/or via U.S. Mail on this the 20th day of December, 2010.

/s/ Mike Martin
MIKE MARTIN